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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 10/699,224             | CHOI ET AL.         |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | Jean B. Corielus       | 2611                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/10/07.
2. ☒ The allowed claim(s) is/are 1-8, 10, 12-17, renumbered as 1-8, 10-15 and 9, respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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*Jean B. Corielus*  
 Jean B. Corielus  
 Primary Examiner  
 Art Unit: 2611

10-25-07

### EXAMINER'S AMENDMENT

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 10/24/07, Eric Hyman requested an extension of time for 1 MONTH (S) and authorized the Director to charge Deposit Account No. 02-2666 the required fee of \$120.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

#### IN THE CLAIMS:

Claim 8, line 4, --communication--has been inserted before "system".

Claim 10, line 4, "identical" has been replaced by --current--has been inserted.

Claim 14, line 3, "ration" has been replaced by --ratio--.

#### IN THE SPECIFICATION:

Page 9, line 6, after "transmitter", --22-- has been inserted; page 9, line 9, after "transmitter", --22-- has been inserted.

Page 10, line 20, after "transmitter", --22-- has been inserted; page 10, line 20, after "receiver", --24-- has been inserted; page 10, line 21, after "transmitter", --22-- has

been inserted; page 10, line 22, after "transmitter", --22-- has been inserted; page 10, line 22, after "receiver", --24-- has been inserted.

Page 11, line 1, after "receiver", --24--has been inserted; page 11, line 2, after "transmitter", --22-- has been inserted; page 11, line 5, after "transmitter", --22-- has been inserted; page 11, line 5, after "receiver", --24-- has been inserted; page 11, line 18, after "transmitter", --22-- has been inserted.

IN THE DRAWING:

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: fig. 1 is amended to include a receiver section as recited in claim 1. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: a method and apparatus in a multicarrier CDMA are disclosed. The closest prior art Huh et al US patent publication No. US2003/0095585 discloses similar method and apparatus. However, Huh et al does not teach or fairly suggest in combination with the other claimed limitations, the limitations "using a fixed scrambling code which is predetermined according to the user's orthogonal code combination or the number of users", as recited in claim 1, and "multiplying the parallel chip signals by a fixed scrambling code which is predetermined according to the at least one user's orthogonal code combination"; as recited in claims 16 and 17, are neither anticipated nor rendered obvious by Huh et al.


Art Unit: 2611

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Corrielus whose telephone number is 571-272-3020. The examiner can normally be reached on Monday-Thursday from 9:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jean B Corrielus  
Primary Examiner  
Art Unit 2611

10/25/07